

**REMARKS/ARGUMENTS**

In response to the Office Action dated August 9, 2004, claims 10, 11 and 13-16 are amended, and claim 17 is added. Claims 10-17 are now active in this application. No new matter has been added.

The indication that claims 11-13 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims is acknowledged and appreciated.

**REJECTION OF CLAIMS UNDER 35 U.S.C. § 103**

I. Claims 10 and 14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hikita et al. (USPN 6,747,546).

Claims 10 and 14-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyamoto (USPN 6,070,804).

II. To expedite prosecution, independent claims 10 and 14-16 are amended to change “specific time” to “specific time slot selected from one or a plurality of time slots given by the reader/writer”, and the recitation “response slot deciding unit” of claim 10 now includes the limitation that the “specific time slot to respond” is decided based on the “on the electromotive force measured by the measuring unit”. Claims 14-16 are similarly amended with regard to “deciding”. Thus, independent claims 10 and 14-17 delineate that the decision (selection) of “time slot” is made in accordance with the (measured) electromotive force. Moreover, new dependent claim 17 delineates that “the response slot deciding unit estimates location of the card

with respect to other contactless IC cards, and decides the specific time slot based on the estimated result”.

In contrast, even if Hikita et al. (USPN 6,747,547) could respond in case of exceeding the imaginary threshold, Hikita et al. does not disclose or suggest to “decide the specific time slot to respond based on the electromotive force measured by the measuring unit”. Hikita et al. also does not disclose or suggest that “the slot deciding unit estimates location...” (new claim 17). Therefore, a *prima facie* case of obviousness cannot be established with respect to amended independent claims 10 and 14 base solely upon Hikita et al.

While Miyamoto (USPN 6,070,804) discloses a “measuring unit” similar to that of the present invention, Miyamoto does not disclose or suggest to “decide the specific time slot to respond based on the electromotive force measured by the measuring unit” or that “the slot deciding unit estimates location...” (new claim 17). Therefore, a *prima facie* case of obviousness cannot be established with respect to amended independent claims 10 and 14-16 base solely upon Miyamoto.

Thus, all the limitations recited in amended independent claims 10 and 14-16, as well as in new dependent claim 17, are not disclosed or suggested in either Hikita et al. or Miyamoto. Consequently, claims 10-16, as amended, as well as new dependent claim 17, are patentable over Hikita et al. and Miyamoto and their allowance is respectfully solicited.

## **CONCLUSION**

Accordingly, it is urged that the application, as now amended, is in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues

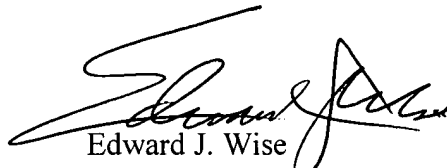
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that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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